

ELECTION

The Examiner issued a restriction requirement pursuant to 35 U.S.C. § 121, dated April 12, 2006, requiring Applicants to elect a single, disclosed group of claims for prosecution on the merits, and to further elect a single species within the drawings for prosecution, to which species the claims shall be restricted if no generic claim is finally held allowable. Applicants respectfully traverse this election requirement as improper, but provisionally elect Group II, Claims 9-17, and corresponding Species i, depicted in Figures 10a and 10b. Group-II claims and Species-i figures are drawn to a method for maximizing slicing yield while using a transverse slicer.

REMARKS

Applicants' election requires the examination of Claims 9-17. However, Applicants believe that an examination of all of the claims would not impose an undue burden on the Examiner. Applicants therefore respectfully request reconsideration and withdrawal of the election requirement.

Applicants also believe that such election of Group-II claims and Species-i figures for examination should also permit reference to, and examination of, Species-a figures (Figures 2 and 3) and Figures 5 and 12. Figures 2 and 3 help illustrate the production of slices by the steps of feeding (step c) and operating the transverse slicer (step d) as claimed in Group-II claims, Claims 9-17. Likewise, Figures 5 and 12 are block diagrams illustrating various processing and control steps of the method claimed in Group-II.

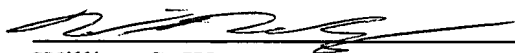
CONCLUSION

A First Office Action on the merits is now respectfully awaited. If there are any outstanding issues that the Examiner feels may be resolved by way of a telephone conference, the Examiner is cordially invited to contact William S. Wang or Colin P. Cahoon at 972-367-2001.

The Commissioner is hereby authorized to charge any payments that may be due or credit any overpayments to CARSTENS & CAHOON, L.L.P. Deposit Account 50-0392.

Respectfully submitted by:

Dated: May 11, 2006



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